

**BEFORE THE  
DEPARTMENT OF DEVELOPMENTAL SERVICES  
STATE OF CALIFORNIA**

**In the Matter of the Fair Hearing Request of:**

**CLAIMANT,**

**vs.**

**FRANK D. LANTERMAN REGIONAL CENTER,**

**Service Agency.**

**OAH No. 2023060855**

**DDS Case No. CS0006660**

**PROPOSED DECISION**

Eric Sawyer, Administrative Law Judge (ALJ), Office of Administrative Hearings, State of California, heard this matter by videoconference on August 21, 2023.

Melissa (Meira) Amster, Attorney, represented claimant, who was present only when he testified. The names of claimant and his family members are omitted to protect their privacy and maintain the confidentiality of this proceeding.

Aaron Abramowitz, Attorney, represented Frank D. Lanterman Regional Center (service agency).

The parties requested the record be held open after the conclusion of the hearing for the submission of closing briefs. The ALJ issued an order continuing the matter to August 30, 2023, at which time the closing briefs were timely lodged and marked for identification as claimant's exhibit 8 and service agency's exhibit G.

The record closed and the matter was submitted for decision upon receipt of the closing briefs on August 30, 2023.

## **ISSUE**

May service agency terminate its approval of claimant's use of Self-Determination Program funds to pay for Adaptive Skills Training through That's an LA Wrap! and/or Timothy Howell?

## **EVIDENCE RELIED ON**

The ALJ relied on service agency's exhibits A through F; and claimant's exhibits 1 through 7. The ALJ also relied on the testimony of Doris Weis, Supervisor of Community Services, Eastern Los Angeles Regional Center; Megan Mendes, service agency's Assistant Director of Client and Family Services – Ongoing Units; Claudia Wenger, Claudia Cares Consulting; claimant's mother; and claimant. The ALJ considered the parties' closing briefs identified above, but they are not evidence.

## **FACTUAL FINDINGS**

### **Parties and Jurisdiction**

1. Service agency determines eligibility and provides funding for services and supports to persons with developmental disabilities under the Lanterman Developmental Disabilities Services Act (Lanterman Act), among other entitlement programs. (Welf. & Inst. Code, § 4500 et seq.)

2. Claimant is a 20-year-old who is eligible for services under the Lanterman Act based on his qualifying diagnosis of Autism Spectrum Disorder. (Ex. 2.)

3. Claimant is a participant in the Self-Determination Program (SDP). The SDP process includes creating an annual budget for services and supports funded by service agency. (See Legal Conclusions 5-10.) Claimant's approved spending plan includes, under community integration supports, a business called That's an LA Wrap (TALAW), owned by Timothy Howell. (Exs. 3, 4.)

4. TALAW was a vendor of Eastern Los Angeles Regional Center (ELARC) as an Adaptive Skills Training (AST) service provider. As explained in more detail below, in January 2023, ELARC sent TALAW notice of its intent to terminate its vendorization. TALAW initially appealed the decision with ELARC, but later chose to discontinue its appeal. (Exs. D, E, F.)

5. As a result of TALAW losing its vendorization with ELARC, service agency informed claimant's Independent Facilitator, Claudia Wenger, that it would no longer approve a spending plan that included TALAW because of various concerns identified in process of ELARC terminating its vendorization, including health and safety issues. (Testimony [Test.] of Weis, Wenger, claimant's mother.)

6. On May 4, 2023, service agency issued a Notice of Action (NOA) advising claimant that it was prohibiting his use of SDP funds to pay for AST through TALAW and/or Mr. Howell. The stated reason for this action was that TALAW was not operating in compliance with vendorization regulatory requirements, and that it was necessary to immediately withdraw purchase of service authorizations for TALAW services to protect the health, safety, and welfare of service agency clients pursuant to California Code of Regulations, title 17, section 54370, subdivision (g). (Ex. A.)

7. On June 2, 2023, claimant's mother submitted to the Department of Developmental Services (DDS) an Appeal Request Form (ARF), which contained a demand for a fair hearing to challenge service agency's termination of approval of funding for TALAW and/or Mr. Howell through claimant's SDP budget. (Exs. B, C.)

8. By requesting to leave the record open for the submission of closing briefs, claimant waived the right to a decision within 90 days of the date the ARF was received by DDS, pursuant to Welfare and Institutions Code section 4712.5, subdivision (b).

### **Claimant's Relevant Background Information**

9. Claimant is a non-conserved 20-year-old who lives at home with his family. (Ex. 2.)

10. Claimant recently graduated from high school and is now ready to transition to college. (Ex. 2.)

11. The latest version of claimant's individual program plan (IPP) in evidence was created in February 2022. The IPP contains goals for claimant to complete daily living skills on his own, with some prompting and reminders; and for him to participate

independently in typical activities of daily life, such as using functional communication, participating at meals, getting ready for school, getting ready for daytime activities, and going to bed. (Ex. 2.)

## **The Self-Determination Program**

### **IN GENERAL**

12. The centerpiece of the SDP is the annual budget created by the parties. The consumer (or participant) has wide discretion in using funding in the budget for the various services and supports identified therein as he or she sees fit. That flexibility allows the consumer to reprioritize services and supports throughout the fiscal year, and reallocate spending among the various services and supports as needs arise. (See Legal Conclusions 5-10.)

13. Service agency reviews spending plans to determine if the service and supports contained therein are allowable. The issues subject to review are whether the included services and supports are federally reimbursable; contain any service that can be provided by a generic resource; comply with home and community based service (HCBS) final rule; are provided by a qualified service provider; and will meet the participant's IPP goals. (Test. of Mendes, Wenger.)

14. If a business is the proposed service provider, the participant's Financial Management Service (FMS) will verify if the business is legally capable of providing the service in this state, such as confirming the provider has a valid business license and insurance. If a person is the proposed service provider, the FMS will require a background check of the individual to confirm the person is eligible to work in this state, including a fingerprint check to determine if there is a disqualifying criminal

record. The business or person is not required to be vendored with any regional center. (Test. of Mendes, Wenger.)

15. The only paperwork required for a business or employee providing a service or support in the SDP is a form executed by the FMS accepting the business or person to be paid under SDP. (Test. of Wenger.)

16. In addition to an FMS, a participant in the SDP also has an Independent Facilitator (IF). Claimant's IF is Claudia Wenger. Ms. Wenger is experienced in the SDP process. She has served as an IF for over 100 regional center consumers and now provides IF coaching and training for two regional centers. Ms. Wenger testified the guiding principle of the SDP is participant choice: like typical adults, participants are encouraged to make their own choices, even if those choices are not the most rational or effective.

### **TALAW AND MR. HOWELL**

17. Claimant first received AST services from TALAW a few months before claimant became involved in the SDP. Mr. Howell is the only person from TALAW who has worked with claimant. Mr. Howell began providing AST services to claimant in November or December 2021. Claimant's SDP was effective in April 2022. (Test. of claimant's mother.)

18. For the first few months, Mr. Howell worked with claimant at the family home, showing him how to do his laundry, fix his own meals, go to the store to buy food, and access local transportation. (Test. of claimant's mother, claimant.)

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19. By the time Mr. Howell began providing services to claimant under the SDP, the AST began incorporating activities outside of the family home. Because claimant is interested in cars, Mr. Howell took him to visit an auto museum and automotive venues; he also took claimant with him when he bought a new car. Because claimant also likes video games, Mr. Howell has taken claimant to a video game store to discuss employment opportunities with the store manager. (Test. of claimant's mother.)

20. Claimant's SDP spending plan executed in March 2023 has a total annual budget of \$54,206.64. The parties agree the budget includes funding for up to 40 hours per month for TALAW to provide AST under the "331 Community Integration" service code, for a total annual cost of \$31,130.55. (Ex. 3.)

21. A Person-Centered Plan (PCP) was created for claimant in February 2023 as part of his participation in the SDP. In a section entitled "My Story," it is written "I [claimant] spend time with Tim [Howell] at least once a week and he is a great mentor for me." (Ex. 1, p. B3.)

22. Mr. Howell has been providing a stable and healthy environment for the AST services he has provided claimant through the SDP. Claimant has developed a close therapeutic relationship with Mr. Howell, and Mr. Howell is supporting claimant in meeting his IPP goals identified above. Claimant and his mother are beyond satisfied with Mr. Howell's services. (Test. of claimant, claimant's mother.)

23. Claimant's mother provided the following specific example of the success of the AST services so far. Claimant enrolled in a three-semester woodworking class at Otis College. Mr. Howell initially accompanied claimant to the class because claimant would become anxious and overwhelmed in the new environment. After attending the

class with claimant for several weeks and helping him acclimate to it, Mr. Howell no longer needs to join claimant. Claimant's family next would like Mr. Howell to join claimant when he attends college classes, hoping Mr. Howell again can slowly withdraw support as claimant gets acclimated. (Test. of claimant's mother.)

24. Mr. Howell submits an invoice for payment to claimant's mother, who reviews and approves the invoice, and forwards it to claimant's FMS to request payment to Mr. Howell. The invoice only states the days and number of hours each day Mr. Howell works with claimant. (Test. of Wenger, claimant's mother.)

## **TALAW Loses Its Vendorization**

### **ACTION BY ELARC**

25. On January 26, 2023, ELARC provided TALAW and Mr. Howell with notice of its intent to terminate TALAW's vendorization (Notice of Termination). The reasons stated in the notice for the termination were that TALAW was billing for a one-to-one (1:1) service while providing the service to a group of individuals; and failure to maintain and produce upon request records required by law. (Test. of Weis; Ex. D.) As for the alleged 1:1 billing impropriety, the Notice of Termination advised the charge was based on Mr. Howell's admission to ELARC staff during an unannounced visit and confirmation from "more than one consumer." (Ex. D, p. A29.) The Notice of Termination did not specifically accuse Mr. Howell of engaging in false, dishonest, or fraudulent activity. (Ex. D.)

26. By letter dated February 18, 2023, Mr. Howell appealed ELARC's Notice of Termination. He admitted not keeping proper records, but contended the allegation of his billing 1:1 service in a group setting was based on a miscommunication he had



with ELARC. Mr. Howell attached some of the missing records described in ELARC's Notice of Termination. (Test. of Weis; Ex. E.)

27. By letter dated April 6, 2023, ELARC denied Mr. Howell's appeal. ELARC explained why the information presented in his appeal letter was insufficient to rebut the findings described in its Notice of Termination. Mr. Howell also was informed the parent of one consumer complained that Mr. Howell was drinking alcohol while he provided services. Mr. Howell also was informed another parent of a consumer advised that Mr. Howell was driving consumers in a van, even though TALAW was not vendored to provide transportation. These latter two concerns were not described in ELARC's Notice of Termination and therefore cannot constitute grounds for the administrative action against him. (See *Brown v. State Personnel Bd.* (1985) 166 Cal.App.3d 1151, at 1164, fn. 5.) Mr. Howell was advised TALAW's vendorization with ELARC was terminated, but that he could appeal the termination to DDS. (Ex. F.)

28. Mr. Howell elected to not appeal to DDS the termination of TALAW's vendorization with ELARC, and it became final. (Test. of Weis.)

### **SERVICE AGENCY'S RESPONSE**

29. Megan Mendes is service agency's Assistant Director of Client and Family Services – Ongoing Units, and was involved in the decision-making process leading to the issuance of the NOA in this case. Ms. Mendes testified that service agency decided to prohibit TALAW and/or Mr. Howell from receiving funding under claimant's SDP budget based on the concerns identified by ELARC and described above. Ms. Mendes also testified service agency had received one complaint about Mr. Howell concerning his 1:1 billing impropriety, lack of quality services, and drinking alcohol while providing services, but Ms. Mendes provided no further details. (Test. of Mendes.)

30. Based on the available information, service agency believes Mr. Howell's drinking while serving clients poses a threat to their health, safety, and welfare, and that Mr. Howell's 1:1 billing impropriety constitutes fraud. Service agency has concluded it cannot use public funds to pay for TALAW's services to any consumer, whether or not participating in the SDP. (Test. of Mendes.)

31. By letter dated July 11, 2023, service agency notified claimant that TALAW's vendorization had been terminated by ELARC, and consequently, it was no longer able to pay for TALAW's services under claimant's SDP budget. The letter specified the action was taken because service agency was concerned TALAW's services posed a health and safety threat to claimant. (Ex. C, p. A27.)

### **REACTION OF CLAIMANT'S FAMILY**

32. Service agency staff advised claimant's IF, Ms. Wenger, it would no longer fund TALAW or Mr. Howell under claimant's SDP budget. Ms. Wenger in turn contacted claimant's mother and advised her. Initially service agency staff provided little information concerning why TALAW's vendorization had been terminated. Nonetheless, both Ms. Wenger and claimant's mother were shocked to hear about health and safety concerns associated with Mr. Howell. (Test. of Wenger, claimant's mother.)

33. Over time, Ms. Wenger and claimant's mother were provided with the information described above concerning the reason TALAW's vendorization with ELARC was terminated. Neither Ms. Wenger nor claimant's mother were concerned by what they heard. Both spoke to Mr. Howell to get his version of events, and found him credible. Claimant's mother also spoke to claimant about his experiences with Mr. Howell. (Test. of Wenger, claimant's mother.)

34. Based on the information they obtained, Ms. Wenger and claimant's mother decided to continue using TALAW and Mr. Howell to provide AST services through claimant's SDP. Both expected Mr. Howell to provide transportation when he and claimant went into the community. While Mr. Howell was not known to provide claimant's AST in a group setting, neither were concerned if that had happened. Mr. Howell denied ever drinking alcohol or being under the influence when providing services to claimant; claimant confirmed to his mother he had never seen Mr. Howell drink alcohol in his presence. There had never been a problem with TALAW's invoices in the past. Mr. Howell had passed a prior live scan check and offered to undergo another one if necessary. Ms. Wenger also knew that service agency staff are mandatory reporters and required to report a qualifying health and safety concern to relevant authorities; no such report had been made about Mr. Howell. (Test. of Wenger, claimant's mother.)

35. At hearing, Ms. Wenger, claimant's mother, and claimant testified they still want to work with Mr. Howell because of the close relationship he has developed with claimant and the considerable progress claimant has made while working with him.

36. After service agency discontinued funding for Mr. Howell to work with claimant, claimant's parents paid Mr. Howell themselves. However, they can only afford to have Mr. Howell see claimant once every other week for a few hours at a time. (Test. of claimant's mother.)

### **Information from DDS Concerning the SDP**

37. The DDS website has a "Frequently Asked Questions" (FAQ) section concerning the SDP. (Exs. 6, 7.)

38. One question relevant to this case is, “Does the regional center review the services in the spending plan?” DDS’s answer is:

Participants develop their spending plan. It includes the services needed to implement their IPP. The total amount of the spending plan cannot exceed their individual budget. After the participant develops their spending plan, the regional center reviews the spending plan for compliance with state and federal law. This review includes verification that the identified goods and services are eligible for federal financial participation, are not used to purchase goods or services available through generic agencies, that providers are qualified and that *participant choice regarding who provides their services is respected*.

(Ex. 7, p. B47; emphasis added.)

## **LEGAL CONCLUSIONS**

### **Jurisdiction and Burden of Proof**

1. An administrative hearing to determine the rights and obligations of the parties is available under the Lanterman Act to appeal a contrary regional center decision. (Welf. & Inst. Code, §§ 4700-4716; undesignated statutory references are to this code.) Claimant’s mother timely appealed the service agency’s decision to terminate its payments to TALAW or Mr. Howell under claimant’s SDP budget. Therefore, jurisdiction exists for this appeal. (Factual Findings 1-8.)

2. A regional center seeking to terminate or reduce ongoing funding provided to a consumer has the burden to demonstrate its decision is correct, because the party asserting a claim or making changes generally has the burden of proof in administrative proceedings. (See, e.g., *Hughes v. Board of Architectural Examiners* (1998) 17 Cal.4th 763, 789, fn. 9.) In this case, the service agency bears the burden of proof regarding its decision to terminate payments to TALAW or Mr. Howell under claimant's SDP budget. (Factual Findings 1-8.)

3. The standard of proof in this case is the preponderance of the evidence because no law or statute (including the Lanterman Act) requires otherwise. (Evid. Code, § 115.) This standard is met when the party bearing the burden of proof presents evidence that has more convincing force than that opposed to it. (*People ex rel. Brown v. Tri-Union Seafoods, LLC* (2009) 171 Cal.App.4th 1549, 1567.)

4. A proposed decision rather than a final one is issued because this case involves federal funding under the SDP. (§ 4712.5, subds. (d) & (e).)

## **Applicable Provisions of the Lanterman Act**

### **THE SELF-DETERMINATION PROGRAM**

5. Section 4685.8 governs regional center consumers participating in the SDP. The purpose of the SDP is to provide participants and their families, within an individual annual budget, increased flexibility and choice, and greater control over decisions, resources, and needed and desired services and supports to implement their IPPs. (*Id.*, subd. (a).)

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6. "Self-determination" is defined as a voluntary delivery system consisting of a comprehensive mix of services and supports, selected and directed by a participant through person-centered planning, in order to meet the objectives in their IPP. Self-determination services and supports are designed to assist the participant to achieve personally defined outcomes in community settings that promote inclusion. (§ 4685.8, subd. (c)(6).)

7. When developing the budget used for the SDP, the IPP team determines the services, supports, and goods necessary for the participant, based on the needs and preferences of the participant, and when appropriate the participant's family, the effectiveness of each option in meeting the goals specified in the IPP, and the cost effectiveness of each option. (§ 4685.8, subd. (b)(2)(H)(i).)

8. Section 4685.8, subdivision (c)(7), specifically provides:

"Spending Plan" means the plan the participant develops to use their available individual budget funds to purchase goods and services necessary to implement their individual program plan. The spending plan shall identify the cost of each good, service, and support that will be purchased with regional center funds. The total amount of the spending plan cannot exceed the amount of the individual budget. A copy of the spending plan shall be attached to the participant's IPP.

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9. The participant also shall utilize the services and supports available within the SDP only when generic services and supports are not available. (§ 4685.8, subd. (d)(3)(B).) In fact, section 4685.8, subdivision (r)(5), requires involved regional centers to “review the spending plan to verify that goods and services eligible for federal financial participation are not used to fund goods or services available through generic agencies.” Also, the participant “shall only purchase services and supports necessary to implement their IPP.” (§ 4685.8, subd. (d)(3)(C).)

10. Section 4685.8, subdivision (k), provides:

The participant shall implement their IPP, including choosing and purchasing the services and supports allowable under this section necessary to implement the plan. A participant is exempt from the cost control restrictions regarding the purchases of services and supports pursuant to Section 4648.5. *A regional center shall not prohibit the purchase of any service or support that is otherwise allowable under this section.* (Emphasis added.)

#### **APPLICABLE LANTERMAN ACT FUNDING RESTRICTIONS**

11. In requiring a regional center to review a spending plan to certify that its expenditures are necessary to implement the participant’s IPP and do not include generic resources, other provisions of the Lanterman Act apply to funding determinations within the SDP process, unless inconsistent with section 4685.8.

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12. Such a construction of the operation of section 4685.8 with other provisions of the Lanterman Act is consistent with the rule of statutory construction that a specific provision of statutory law will control over a general provision for ascertaining and carrying out the intent of the Legislature. (*Arbuckle-College City Fire Protection Dist. v. County of Colusa* (2003) 105 Cal.App.4th 1155, 1166.) Generally, it can be presumed that when the Legislature has enacted a specific statute to deal with a particular matter, it would intend the specific statute to control over more general provisions of law that might otherwise apply. Such a presumption may be rebutted by evidence of a contrary legislative intent. (*Ibid.*)

13. In its closing brief, service agency cites several other Lanterman Act provisions relevant to this case. Examples include the need for accurate documentation by service providers (Cal. Code Regs, tit. 17, §§ 54326, subd. (a)(3), 50604, subd. (d)); and continued service agency monitoring that progress is being made toward a participant's IPP (§§ 4648, subd. (a), 4646.5, subd. (a)). As well, service agency is a steward of public funds, and must use those funds only for their intended purpose. (§ 4646, subd. (a).) Finally, as a delegee of DDS, which receives federal funding, service agency is required to establish protocols and practices to detect and prevent fraud, waste, abuse, and improper contracting protocols. (§ 4620.3, subds. (a) & (b).)

## **Disposition**

14. The primary principle underlying the SDP is participant choice. This principle is evident throughout the various subdivisions of section 4685.8 cited above, which emphasize priority is to be given to the choices of the participant and his or her family. DDS has given its nod to the importance of participant choice in the FAQs section of its website, stating that "participant choice regarding who provides their



services is [to be] respected.” Claimant’s IF, Ms. Wenger, aptly describes this principle as one allowing participants to make the same decisions, and mistakes, that typical adults make in their daily life. In this case, it is abundantly clear that claimant, his family, and his IF, all unambiguously continue to choose Mr. Howell to provide AST services to claimant.

15. On the other hand, service agency has not provided any legal authority compelling its funding decision relative to Mr. Howell to overrule the obvious choice made by claimant and his family. Put another way, there is nothing in section 4685.8 specifically allowing a regional center to impose its own funding decisions over those expressed by the SDP participant or his or her family, absent a statutory exception. In fact, section 4685.8, subdivision (k), expressly provides a regional center shall not prohibit the purchase of any service or support that is otherwise allowable under the statute.

16. In this case, all the statutory prerequisites for funding Mr. Howell under the SDP are met. For example, the AST services are federally reimbursable. The parties agree there is no generic resource that can provide the service. Service agency has not demonstrated the funding violates the HCBS final rule. Mr. Howell’s services clearly are helping claimant meet his IPP goals. Mr. Howell and TALAW are qualified to provide the service in this state. Perhaps most importantly, there is no requirement under the SDP for TALAW to be vendored with any regional center.

17. This is not to say service agency is powerless in how its funds are used by claimant simply because he is participating in the SDP. As discussed above, the other provisions of the Lanterman Act have some application here, unless inconsistent with a direct provision of section 4685.8. For service agency to override claimant’s choices exercised in the SDP, which do not violate any provision of section 4685.8, service

agency has the burden of showing its interests in fulfilling the other provisions of the Lanterman Act are more compelling than honoring claimant's expressed choices.

18. In this case, service agency failed to meet its burden of establishing by a preponderance of the evidence that its decision to prohibit claimant from using SDP funds to pay TALAW or Mr. Howell for AST services is more compelling than claimant's right to control decisions made about his services and supports under the SDP.

19. So far, Mr. Howell has provided AST services to claimant without complaint or problem. The fact service agency has not reported Mr. Howell to any other authority as part of its mandatory reporting duties emphasizes this point. Claimant's mother and claimant's IF have confirmed that none of the issues detected by ELARC have occurred in Mr. Howell's provision of services to claimant. In fact, the vague information presented in ELARC's termination of TALAW's vendorization indicates the problems were encountered by two consumers. In its Notice of Termination, ELARC did not specifically allege Mr. Howell had engaged in fraud, and did not include any mention of substance abuse. In short, service agency's professed concerns emanating from the ELARC action are overblown. Thus, the record does not establish that continuing to work with Mr. Howell will jeopardize claimant's health, safety, or finances, or put at risk the involved federal funding. (Factual Findings 1-38; Legal Conclusions 1-18.)

## **ORDER**

Service Agency shall not terminate its approval of claimant's use of Self-Determination Program funds to pay for Adaptive Skills Training through That's an LA

Wrap! and/or Timothy Howell as currently outlined in claimant's Self-Determination Spending Plan.

Pursuant to Welfare and Institutions Code section 4713.5, subdivision (a), service agency shall implement the final decision in this matter by reinitiating the funding in question as soon as practical, but not later than 30 days following the date of the final decision.

DATE: 09/14/2023

ERIC SAWYER  
Administrative Law Judge  
Office of Administrative Hearings

BEFORE THE  
DEPARTMENT OF DEVELOPMENTAL SERVICES  
STATE OF CALIFORNIA

In the Matter of:

Claimant

OAH Case No. 2023060855

Vs.

**DECISION BY THE DIRECTOR**

Frank D. Lanterman  
Regional Center,

Respondent.

ORDER OF DECISION

On September 14, 2023, an Administrative Law Judge (ALJ) at the Office of Administrative Hearings (OAH) issued a Proposed Decision in this matter.

The Department of Developmental Services (DDS) takes the following action on the attached Proposed Decision of the ALJ:

The Proposed Decision is adopted in full.

In addition, DDS Orders as follows:

1. Frank D. Lanterman Regional Center (FDLRC) shall conduct quarterly visits to check on the health, safety and welfare of the consumer for one year from the date of this Order;
2. Timothy Howell shall undergo an additional criminal background check and submit his fingerprints within 30 days of the date of this Order. Mr. Howell may continue providing services while awaiting the results of the background check if the fingerprints are timely submitted; and
3. FDLRC retains authority to deny funding for services provided by Mr. Howell if necessary to protect the health, safety or welfare of the consumer. See Cal. Code Regs. tit. 17 § 54370, subd. (g).

The Proposed Decision is adopted by DDS as its Decision in this matter. The Order of Decision, together with the Proposed Decision, constitute the Decision in this matter.

This is the final administrative Decision. Each party is bound by this Decision. Either party may request a reconsideration pursuant to Welfare and Institutions Code section 4713, subdivision (b), within 15 days of receiving the Decision or appeal the Decision to a court of competent jurisdiction within 180 days of receiving the final Decision.

Attached is a fact sheet with information about what to do and expect after you receive this decision, and where to get help.

IT IS SO ORDERED on this day: \_\_\_\_\_.

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Nancy Bargmann, Director